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The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

Security Council
Sixty-first year

Identical letters dated 5 December 2006 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith identical letters dated 5 December 2006 addressed to the Secretary-General and the President of the Security Council concerning the deteriorating health of the Syrian detainee from the occupied Golan, Seittan Nemer Al-Walee, and the situation of other Syrian detainees, also from the occupied Golan, in the prisons of the occupier, Israel.

It would be greatly appreciated if the annex to the present letter were circulated as a document of the General Assembly, under relevant agenda items relating to the situation in the Middle East, the occupied Syrian Golan and human rights, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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Annex to the identical letters dated 5 December 2006 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Israel persists in its violation of all international laws and norms and continues the practice of arbitrary detention. It also practices the torture of prisoners and detainees in its jails in utter disregard of international law, international humanitarian law and the four Geneva conventions of 1949, especially the Third Convention relative to the Treatment of Prisoners of War and the Fourth Convention relative to the Protection of Civilian Persons in Time of War.

Israel, having caused the death last year in prison of the martyr Hayil Abu Zayd — a resident of the occupied Syrian Golan — through deliberate medical neglect during 20 years of detention in abominable conditions, is now doing the same to another resident of the occupied Syrian Golan, Seittan Nemer Al-Walee, who has been imprisoned in Israeli jails since 1985. He is serving a prison term of 27 years for refusing to accept the occupation and an Israeli identity card; such action is condoned by all international laws and norms. The Government of the Syrian Arab Republic has received an urgent complaint from the family of the prisoner Seittan Nemer Al-Walee in which the family states that the Israeli authorities have transferred him from his prison to hospital in view of the critical state of his health. His family has no information as to what has become of him and fears that he will meet with the same fate as the martyr Hayil Abu Zayd.

This inhumane and savage practice, which utilizes systematic torture in order to repress freedoms and to terrorize those who reject the occupation and stand up to it in defence of their land, people and lives, requires the international community to intervene and stand up to the organized State terrorism practised by Israel, which is a blatant violation of international law that disregards international will and legitimacy and the right of peoples to self-determination.

Assiduous efforts on the part of the Secretary-General with the parties involved are urgently required to end the oppression to which Seittan Nemer Al-Walee and other Syrian prisoners from the occupied Syrian Golan are being subjected, especially since some of them have been imprisoned for more than 20 years in inhumane and degrading conditions. Similarly, Israeli criminality constitutes a defiance of the wishes of the Security Council and of the international community as well as a violation of international law and international humanitarian law, and to follow up on such matters is one of the Council's essential duties.

These inhumane Israeli practices also contravene the provisions of Security Council resolution 497, which declared that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void and without legal basis. The Council also demanded that Israel should rescind forthwith its decision. Those practices also contravene all the relevant resolutions adopted by the General Assembly. The most recent of those resolutions was 61/27, in which the General Assembly stressed that Israel must comply with its obligations pursuant to the Hague Convention IV of 1907 and the Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. The resolution also stressed that

the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just and comprehensive peace in the region. Those practices also contravene the resolution adopted by the Human Rights Council at its most recent session, which called on Israel to desist from imposing Israeli citizenship on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against them, as well as all other practices which affect the human rights of the population of the occupied Syrian Golan. That same resolution also called on all member States not to recognize any of the above-mentioned legislative or administrative measures and actions.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative